

211 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-26681-2019

Date of decision-03.07.2019

Rajat @ Rajat Balu and another

....Petitioners

Vs.

State of Punjab and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Amit Dhawan, Advocate for the petitioners.

Ms. Sudeepti Sharma, Addl.AG, Punjab assisted by  
ASI Sarwan Singh.

\*\*\*

**MANOJ BAJAJ, J.**

Petitioners have prayed for grant of anticipatory bail in case FIR No.217 dated 06.11.2018 under Sections 307, 323, 324, 506 and 148 read with Section 149 of Indian Penal Code registered at Police Station Sadar Nakodar, District Jalandhar.

The FIR was registered on the statement of complainant, namely, Sunny Kumar wherein it was alleged that on 05.11.2018 at about 6.30 p.m., brother of the complainant, namely, Kashmira went outside for a walk after meal. After sometime when the complainant also went outside for a walk, then he saw that his brother Kashmira was being beaten by Soni who was armed with gandasi, Billa armed with datar, Som Nath (petitioner No.2) armed with datar and Rajat (petitioner No.1) armed with kirpan alongwith 5-6 unidentified persons. Som Nath and his son, Rajat gave kirpan and datar blows on the head of the brother of the complainant. When alarm was raised,

all the assailants ran away.

Learned counsel for the petitioners contends that the parties have entered into a compromise and therefore, petitioners deserve the concession of anticipatory bail.

On the other hand, learned State counsel who is assisted by ASI Sarwan Singh opposes the prayer for grant of bail on the ground that the petitioners are specifically named in the FIR who were armed with weapons and caused injuries to the victim. According to him, in all nine injuries were suffered by the victim. It is further submitted that the compromise cannot be made a ground for grant of anticipatory bail for an offence which is punishable under Section 307 IPC.

Considering the allegations and role attributed to the petitioners as well as nature of offence, no case is made out for grant of extra ordinary concession of pre arrest bail to the petitioners.

Consequently, petition is dismissed.

(MANOJ BAJAJ)  
JUDGE

03.07.2019

|        |                             |     |    |
|--------|-----------------------------|-----|----|
| vanita | Whether speaking/reasoned : | Yes | No |
|        | Whether Reportable :        | Yes | No |